Liaison Committee Meeting
February 19, 2010
1 Davis Square, Charleston, West Virginia

Present: Curt Richards, Susan Plum, Denny Taketa, Gail Sowards, Liz Green (for Tim Miller), Jeff Smith, Brad Cochran, Fred Barley, Ryan Harbison, Donald Thimsen, Jessica Douglas

Guests: Rick Hertges, Judy Vallandingham

Brad Cochran: Call to order at 10:30 am

Minutes were accepted from the previous meeting

OLD BUSINESS

MANUFACTURED HOME COMMUNITY TASK FORCE – Fred

The MHC has not met this year. This is due to the revamping of the draft as per recommendations by the Liaison Committee. Fred passed out copies of what has been completed so far. This version is written in the format that the legislature will expect (i.e., new wording is underlined and wording that is stricken has a strike through). A list has been made for legal questions and efforts are continuing to combine 64CSR40 (operation rule) with 64CSR41 (design standards). Fred will call a meeting with the MHC in early March. Fred has been asked to speak at the St. Albans in-service as well as the mid-year conference. He is available for any district to update and get comments from other Sanitarians. Fred said that the State Fire Marshal indicated that their desire would be to have safety distances put into our Rule. Brad said if we only had references to standards, it would be hard to supply everyone with all the various standards out there.

Ryan commented on the once per year inspection. He indicated that any MHC that had problems, that they would be out there more often. It was usually the bad ones that required multiple visits.

A-4 SUMMARY OF ENVIRONMENTAL HEALTH FUNCTIONS – Rick

The original A-4 was brief. The main changes come with a new emphasis on HAU inspections. Most HAUs are state issued permits. In addition, medium size systems (i.e., package plants, cluster systems) are not looked at once installed. We need to understand how many systems are going in of medium size. Also, we are not looking at other technology other than package plants.
We should not be automatically renewing sewage installer’s applications. If the work is not up to standards, do not sign off on their application. It is best to stop it before it gets to renewal time.

GAIL: What does it mean “may” issue a permit?

BRAD: Some LHDs may not want to do the project due to the complexity. The state will review, along with the LHD, the application.

NATHAN: Does Environmental Engineering handle everything over 3,000 GPD?

BRAD: Yes.

NATHAN: Can we take old septic tanks to landfills?

RICK: They take sludge. The tank should be no more hazardous than sludge.

BRAD: If they can’t remove it from the site, can they relocate the tank on the same property?

RICK: Yes. You don’t have to look at soil for tanks.

BRAD: We need to take care of WW-8 (Sewage Program: Division of Responsibility) and send both out at the same time.

NEW BUSINESS

SLAUGHTERHOUSES – Rick

The goal is to get something written down. How the plumbing is done internally is a big issue. Blood may be hazardous according to the Department of Environmental Protection. The Department of Agriculture the DEP is not involved with them. DEP looked it up and indeed, the do have authority of these.

DENNY: A “custom” slaughterhouse cannot sell to the public. I looked it up in their Rule. If they do sell to the public, then they become a “commercial” slaughterhouse.

RYAN: Sometimes it is hard to tell where the runoff from the floor drain goes.

DENNY: Some try to catch as much blood as possible, but the rest goes on the floor and into the sewage system.

BRAD: Maybe we should contact Rusty Goins and get his take on this.

RICK: Sounds good. Let’s keep everyone in the loop on this.
CHILD CARE CENTERS – Brad

PHS had to respond to DHHR on a question about handwashing stations in child care centers. The following letter went to Beth Chambers:

Beth,

The current rule, 64CSR21, effective June 23, 1997, Section 5.7.d states: “In day care centers, a hand washing sink shall be located in the diaper changing area. In family day care facilities, hand washing sink shall be readily accessible to the diaper changing area”.

Section 3.2.f. also states: “Child care centers in operation at the time this rule becomes effective, which meet all applicable prior rules, are eligible for a permit to operate. Any construction, extension, modification or alteration taking place after the effective date of this rule in child care centers permitted under this subdivision shall comply with all applicable provisions of this rule”.

The prior 1974 Rule basically states the same requirement as a family day care facility, “readily accessible”, which could be a little more lenient in the location. So, therefore in a CCC in operation prior to 1997, the hand wash sink would not have to be directly in the diaper changing area, but in close proximity. Also, our rule does not prohibit the use of a restroom as the diaper changing area.

That being said, if your staff finds a facility that you feel is not in compliance, please contact the Local Health Department in that particular county and specify the location where diaper changing is taking place. Hopefully, LHD staff will take appropriate steps to assure compliance based on the location of the nearest hand sink and which rule would apply to the facility in operation. If this action does not resolve the matter to your satisfaction, please feel free to contact Judy Vallandingham in our office. She now oversees our CCC regulations. We will make every effort to discuss this concern with sanitarians during training, meetings, etc.

If I can be of further assistance, please feel free to contact me.

Brad Cochran

BRAD: In a new facility, handwashing sink has to be in the area of diaper changing. On existing facilities, it is a case-by-case basis.

TATTOO STUDIO LAW - Brad

There was a tattoo facility that went out of business. They left behind infectious medical waste. When we inspect these facilities, it appears we are not looking at proper disposal.

NATHAN: The waste would have to go to a permitted facility.

BRAD: We have to make sure they have something in place. They must show they have a proper way of disposing of waste.
**Tattoo Studio Law** – Brad

Curt Richards had received an E-mail from Amanda McMichael concerning body piercing. The body piercing rule is more stringent that tattoo studios. She propose that tattoo studio artists be registered and have the blood borne pathogen training that body piercers do.

BRAD: Does it need updated? Yes. However, it is much harder to get passed as it is in code. Also, we don’t want to get too many Rules in front of the Legislature at one time. He will run it by Ann Goldberg and see what she thinks.

**Forms Revisions** – Fred

Several forms are currently being looked at. It is apparent that when you change one form, it affects other procedures and/or forms. Currently, the following are being looked at:

- **Water haulers**
  - DW-27 Requirements for Potable Water Haulers
  - EW-79A Water hauler registration
  - EW-79B Water hauler inspection form
  - EW-79C Water hauler log

- **Sewage**
  - SS-177 On Site Sewage Disposal System Inspection Report
  - SS-179 Sewage Tank Cleaning Truck Inspection Report
  - SS-181 Application for Sewage Tank Cleaning Permit
  - WW-6 Inspection of a Standard Septic Tank System Installation

There is a meeting set in March with EED concerning the water haulers and DW-27.

**District/Section Reports** – All

DENNY: When will filters be part of the sewage inspection?

RICK: When design standards are modified.

JESSICA: The mid-year training conference will be May 4-6, 2010, at Cedar Lakes. ServSafe® Train the Trainer will be one course. We were not able to get an FDA course for this year, although we tried.

LIZ: Are MOVHD Sanitarians are ServSafe® certified trainers. $70 for class + test. The charge for the food handlers card is separate.

BRAD: Ann Goldberg will have a section on how to handle contested cases.
JESSICA: The Interstate Environmental Health Seminar will hold their annual conference at Myrtle Beach, South Carolina this summer. In 2011, the IEHS will be held at Glade Springs, West Virginia, July 20-22.

NATHAN: Marshall is working on installing backflow preventers. They were able to get some people certified to do this.

GAIL: H1N1 clinics and outreach programs have taken a lot of time. They plan to have shots available for Public Health Day at the Legislature. ABCC took action against a local tavern. They were able to pull their liquor permit because of violation of the indoor clean air regulation.

LIZ: MOVHD is trying to get their Board of Health to approve the requirement of food handler’s cards. They are also trying to get them to require ServSafe® (or other comparable certification) for their food managers.

CURT: They are using vector control regulations to enforce solid waste complaints. They now have a litter control officer which should help.

DENNY: The mayor of Piedmont wants the LHD to look at a nearby structure that is ready to collapse onto the City Building. They finally received a grant to help tear it down.

**ENVIRONMENTAL UPDATES – Brad**

- **Personnel:** PHS recently filled 3 positions. Sharon Seifrit was hired in December to fill the vacant OAIII position at the Fairmont District Office. Sharon was most recently employed by the Marion County Health Department. Suzzette Valach and Karol Wallingford were chosen as the new District Sanitarians in the Beckley and Fairmont Offices. Suzzette had most recently been a Milk Sanitarian in the Beckley District and Karol was most recently employed by the Marion County Health Department.

  Interviews for the Milk Program Manager and the new Wheeling District Sanitarian position have ended and a candidate has been submitted for the Milk Position and our selected candidate has declined the position in Wheeling. The Wheeling position was created to assist Mark Uraco who is currently being certified as the new Milk Survey Officer for WV. This is Clarence Christian’s old position. Clarence is still with us, working under contract to perform milk related duties to fill the void in the Beckley District as well as continuing to work with Mark until all FDA certifications are complete. The vacant Milk position is now posted. Posting ends tomorrow.

  Richard Wheeler has been re-deployed to Iraq and will be gone for most of 2010.

- **Training:** A PES course has been scheduled for March 2-4 at Cedar Lakes. Was cancelled due to lack of required attendees. Hope to reschedule later.

  Mid-Year Conference is scheduled for May 4-6. One session will be Servsafe Train the Trainer(one day) and also another General Session with many topics being discussed as agenda items. Information will be posted ASAP.
The agenda for the upcoming Sanitarian Training Class is being finalized. Class will begin August 16, 2010 in Charleston. Information will be posted on the PHS website in the near future.

**Out of state training:** 64th annual Interstate Environmental Health Seminar is scheduled for July 21-23, 2010 at the Marina Inn, Myrtle Beach, South Carolina. Information is available on the WVAS or PHS websites. WV will be hosting the 2011 Seminar at Glade Springs Resort.

75th NEHA Annual Educational Conference and Exhibition is scheduled for June 6-9 in Albuquerque, New Mexico. Details are available on the PHS website.

**Legislative Issues:**

**Bills of Interest:**

Grade “A” Milk Rule has been introduced in both the House and Senate (HB4099; SB286) adopts the 2007 Federal Pasteurized Milk Ordinance. Is moving along with no opposition.

Fees for Service Rule has been introduced in both the House and Senate (HB4100; SB287). Fees for OEHS are generated in this rule. Currently bogged down in Senate Finance.

HB4101/ SB288: rule for distribution of state aid funds to local boards of health. Has moved to Senate and House Judiciary.

HB4142: Board of Sanitarians Bill. Passed House and is now in Senate Gov. Org. Committee.

HB2503: Carryover from last year. Relates to Tattoo Artists include risk factors of tattoos with MRIs. Potential for burning sensation and possible imaging issues when reading the MRI. Didn’t expect a lot of movement, but has passed House and is now in Senate HHR.

SB360: Creating Smoke Free WV Act…really do not expect this to pass.

HB4507: Just introduced this week. Which would allow any person or business to appeal decisions of local boards of health to the county commission. The legislation, as proposed, is retroactive and would place all actions made by West Virginia’s 49 boards of health for the PAST THREE YEARS - as well as all future actions - in jeopardy. There were also a couple of carryover bills that more than likely will not make it on any committee agenda.

**NEXT MEETING DATE/LOCATION** – Brad

The next meeting will be at 10:20 am, May 21, 2010, at the Flatwoods DHHR Building.

**MEETING ADJOURNED**

**ENTERED BY: FRED R. BARLEY, R.S.**